
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

DOUGLAS ALAN BURDEN,

Plaintiff,

versus

JEFFERSON COUNTY CORRECTIONAL
FACILITY,

Defendant.

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CIVIL ACTION NO. 1:03-CV-233

**MEMORANDUM ORDER ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Douglas Alan Burden, proceeding *pro se*, filed this civil rights lawsuit pursuant to 42 U.S.C. § 1983. The court previously referred this matter to the Honorable Earl S. Hines, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court.

Plaintiff has filed a motion asking that his case be dismissed. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge concerning the motion. The magistrate judge recommends the motion be granted and this case dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a).

The court has received the Report and Recommendation of United States Magistrate Judge, along with the record, pleadings, and all available evidence. No objections were filed to the Magistrate Judge's Report and Recommendation.

ORDER

Accordingly, the findings of fact and conclusions of law of the magistrate judge are

correct, and the report of the magistrate judge is **ADOPTED**. Plaintiff's motion to dismiss is **GRANTED**. A final judgment shall be entered dismissing this lawsuit.

SIGNED at Beaumont, Texas, this 23rd day of February, 2007.

A handwritten signature in cursive script, reading "Marcia A. Crone".

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE